

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In the Bankruptcy Matter of:

Enrique Montano

Debtor

Bankruptcy No. 20-14690  
Judge Janet S. Baer (Geneva)  
Chapter: 7

**NOTICE OF MOTION**

TO: Enrique Montano, 640A Rance Road, Oswego, IL 60543  
Gina B Krol, Cohn & Krol, 105 West Madison St Ste 1100, Chicago, IL 60602  
Manuel A. Cardenas, Manuel A. Cardenas and Associates, P.C., 2059 North Western Avenue, Chicago, IL 60647  
Patrick S Layng, Office of the U.S. Trustee, Region 11, 219 S Dearborn St, Room 873, Chicago, IL 60604

Please take notice on June 4, 2021 at 11:00 a.m., I shall appear before the Honorable Janet S. Baer, and present the attached motion.

**This motion will be presented and heard electronically using Zoom for Government.** No personal appearance in the court is necessary or permitted. To appear and be heard on the motion, you must do the following:

**To appear by video,** use this link: <https://zoomgov.com/>. Then enter the meeting ID and password.

**To appear by telephone,** call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

**Meeting ID and password.** The meeting ID for this hearing is 160 731 2971 and the password is 587656. The meeting ID and password can also be found on the judge's page on the court's web site.

**If you object to this motion** and want it called on the presentment dater above, you must file a Notice of Objection no later than two (2) business days before the date. If a Notice of Objection is timely filed, the motion will be called on presentment date. If no notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

/s/ Josephine J. Miceli

Josephine J. Miceli, IL ARDC #6243494

**CERTIFICATE OF SERVICE**

I, Josephine J. Miceli, an attorney certify that I served the attached motion by mailing a copy to the Debtor at the address listed above by depositing the same in the U.S. mail, first class, postage prepaid at 230 W. Monroe St., Chicago, IL 60606 on or before 5:00 p.m. on May 18, 2021. The remaining parties were served by the CM/ECF electronic noticing system.

/s/ Josephine J. Miceli

Josephine J. Miceli, IL ARDC #6243494

Josephine J. Miceli  
Johnson, Blumberg, & Associates, LLC  
230 W. Monroe Street, Suite 1125  
Chicago, Illinois 60606  
Ph. 312-541-9710  
Fax 312-541-9711

**NOTICE:**

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

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**MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

NOW COMES Select Portfolio Servicing, Inc. as the servicing agent for Wells Fargo Bank, N.A., as Trustee, for Park Place Securities, Inc. Asset-Backed Pass-Through Certificates, Series 2005-WCW1 (hereinafter “Movant”), through its attorney, Josephine J. Miceli of Johnson, Blumberg & Associates, LLC, and states as follows:

1. The Movant, a party in interest, holds a Mortgage dated March 24, 2005 on the property located at 690 N. Ohio Street, Aurora, Illinois 60505, in the original amount of \$219,000.00. (A copy of the Note, Mortgage, Assignment of Mortgage, and Loan Modification are attached as Exhibit A, B, C, and D respectively and incorporated herein by reference).
2. The above-captioned Chapter 7 case was filed on July 28, 2020.
3. As of May 11, 2021, the Debtor has failed to maintain payments pursuant to the terms of the Note and Mortgage thereby accruing a default of \$2,278.71 through May 1, 2021. This figure does not constitute reinstatement.
4. The Movant adopts the facts set forth in the Statement of Default as additional allegations in support of this motion.

5. The Movant has no adequate protection as the Debtor is not making payments to the Movant as provided by said mortgage and there is little or no equity available in the property.
6. That should the Debtor wish to reinstate while under the jurisdiction of this Court, Movant requests to be reimbursed for the costs and attorney fees of filing this motion.
7. That Movant is entitled to relief pursuant to 11 U.S.C. 362(d).
8. The Movant requests waiver of 14 day stay provision of Bankruptcy Rule of Procedure 4001(a)(3).

WHEREFORE, Select Portfolio Servicing, Inc. as the servicing agent for Wells Fargo Bank, N.A., as Trustee, for Park Place Securities, Inc. Asset-Backed Pass-Through Certificates, Series 2005-WCW1 prays for the entry of an order modifying, annulling or terminating the Automatic Stay instanter to allow foreclosure, eviction, or any other action with respect to the Movant protecting its rights in the subject property as the Court deems appropriate and for such other relief as the Court deems just.

/s/ Josephine J. Miceli

Josephine J. Miceli, ARDC #6243494  
Attorney for Select Portfolio Servicing, Inc. as the  
servicing agent for Wells Fargo Bank, N.A., as  
Trustee, for Park Place Securities, Inc. Asset-  
Backed Pass-Through Certificates, Series 2005-  
WCW1

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